

REMARKS

Claims 1-13 and 15-38 are presented for examination in this case. Claims 1, 5, 11-13, 22-24, 27, 30, 32-33, 35, and 36 have been amended in accordance with the instantly proffered amendment.

The amendments have been made in response to the Examiner's rejection of the claims under 35 USC 112 first and second paragraphs.

As amended, the claims find support in the specifications and drawings (Figs. 1 and 2). The skilled in the art can appreciate that the invention provides a navigation system as part of a current installation, which states his integrity specifications for civilian aviation applications. The invention is preferably utilized in connection with the Global Positioning System and therefore, encompasses GPS related information including timing information, range information, position information, integrity information, and reliability information. The present invention allows the integrity, accuracy and reliability information to be determined off board a satellite by a navigation receiver. The information is determined using ground reference station equipment and an end user navigation equipment such as that on all aircraft. The advantage to this is that hardware changes are not needed to existing satellite equipment that can be very expensive.

The Examiner has rejected claims 24-32 and 37-38 under 35 U.S.C. 102 (e) as being anticipated by *Clark*. Claim 24 is directed to a navigation receiver and also includes the limitation of receiving signals from a non-geostationary satellite that has integrity information which is generated off board the satellite. The navigation receiver determines the range and position of the satellite's integrity thereof in response to the signals. These limitations are not

taught by *Clark*.

In order for a reference to anticipate a claim, the reference must disclose each and every element of that claim. Verdegaal Brothers v. Union Oil Co. of California, 814 F2d 628. Therefore, claims 24-32 and 37-38 are novel over *Clark*.

The Examiner has rejected claims 1-13 and 15-28 under 35 U.S.C. 102 (a/e) as anticipated by GALILEO.

The independent claims are directed to a navigation receiver and method of operating a navigation system. Claims 1, 22, 24, and 33 all include the limitation of at least one non-geostationary satellite sending out a plurality of signals having integrity information. Claim 1, 22, and 24 further recite a navigation receiver determining the range and position of the satellite and the integrity of said range or position in response to the plurality of signals. Claim 33 recites determining the range and position of the satellite and the integrity of said range or position in response to the plurality of signals.

In GALILEO, however, the accuracy, integrity, and reliability of the ranges and positions of the GALILEO satellites are not determined in response to signals from the satellite nor by navigations receiver in response to signals from the satellites. Instead, the accuracy and reliability of the positions and ranges of the GALILEO satellites are determined by ground-based facilities. These facilities then send “alerts” to receivers via the GALILEO satellites which broadcast these alerts to the receivers. “GALILEO will provide an integrity message in the global constellation signal that will allow system failures to be reported to the users.” *Galilei*, at p. 15

In addition, claim 24 recites that the receiver “has integrity-monitoring software for utilizing said integrity information.” No such limitation is disclosed or suggested in GALILEO.

This ground of reference is not maintainable and should be withdrawn.

Claims 1-13 and 15-28 have been rejected as obvious over *Kamail* in view of *Caporicci* (35 U.S.C., 103 (a)). The *Kamail* publication discloses two techniques for transmission of integrity information using a signal format compatible with GPS and relayed through a geostationary satellite repeater. The techniques are consistent with those considered the state of the art in the applicants’ specifications (*see*, [0002]-[0009]). It is apparent that the described techniques will not provide the rapid alert time requirements of a few seconds characteristics of the claimed invention.

Caporicci does not provide the means to achieve the advantages of the invention, even if the combination prepared by the Examiner were made. There would be no teaching of the integrity information in the signals sent out by a non-geostationary satellite from a central station. This is a critical element of all the claims and cannot be gleaned from *Kamail* taken with *Caporicci*.

It is submitted that the claims as amended are allowable to the applicants and notification to this effect is now respectfully requested.

Respectfully submitted,

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Date

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